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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of)
)
 Bo Chen, et al.)
)
 Title: METHOD FOR SPECTROPHOTOMETRIC)
 BLOOD OXYGENATION MONITORING)
)
 Serial No.: *Not Assigned*)
)
 Filed On: *Herewith*) (Our Docket 5180-02-1-1)

Hartford, Connecticut, July 24, 2003

Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

S I R:

Applicant(s) submits herewith Form PTO-1449 identifying patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Under 37 CFR 1.97 (b)

☒ This Information Disclosure Statement is being filed within three months of the filing date of the application, or the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

Under 37 CFR 1.97 (c)

☐ This Information Disclosure Statement is being filed *after* three months of the filing date of this national application, or the date of entry into the national stage as set forth in §1.491 in an international application, or after the mailing date of the first Office Action on the merits, whichever event occurred last, but *before* the mailing date of either a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.

☐ A certification as specified in 37 CFR 1.97(e) is set forth below or

☐ Fee as set forth in 37 CFR 1.17(p) (\$180.00).

Under 37 CFR 1.97(d)

☐ This Information Disclosure Statement is being filed *after* a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee. Applicant hereby petitions for the consideration of this Information Disclosure Statement, 37 CFR 1.97(d)(ii). A certification as specified in 37 CFR 1.97(e) is set forth below.

☐ A certification as specified in 37 CFR 1.97(e) is set forth below and

☐ Fee as set forth in 37 CFR 1.17(p) (\$180.00)

CERTIFICATION (37 CFR 1.97(e))

☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. A copy of the relevant search report is enclosed herewith.

☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

Applicants respectfully request that any deficiencies in the fees be charged to Deposit Order Account No. 13-0235.

Respectfully submitted,

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Examiner Signature		Date Considered	
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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